

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/579,229
Applicant : Vasso Apostolopoulos et al.
Filed : April 6, 2007
TC/A.U. : 1635
Examiner : Kimberly Chong

Docket No. : 3489-103
Customer No. : 06449
Confirmation No. : 1201

Director of the United States Patent
and Trademark Office
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RESPONSE TO RESTRICTION REQUIREMENT

In an Office Action dated January 27, 2009, the examiner of the above-referenced patent application vacated the Restriction Requirement previously issued in favor of a new Restriction Requirement.

More specifically, the examiner has divided the claims into the following groups:

Group I: claims 50-69, drawn to a compound comprising a conjugate of a polynucleotide or oligonucleotide molecule, a carrier comprising at least one aldehyde group and an optional linker conjugating the polynucleotide or oligonucleotide with the carrier.

Group II: claim 70, drawn to a method for cell-specific delivery of a polynucleotide or oligonucleotide to a target

cell of a subject comprising administering the compounds of claim 50;

Group III: claims 71-79, drawn to a method for inducing an immune response to an antigen or epitope wherein the immune response is primarily a CD8+ type of immune response;

Group IV: claims 80-86, drawn to a method for inducing an immune response to an antigen or epitope wherein the immune response is primarily a CD4 type of immune response; and

Group V: claims 87-98, drawn to a compound comprising a conjugate of a polynucleotide or oligonucleotide molecule, a carrier comprising reduced mannan and optionally a suitable linker molecule conjugating the polynucleotide or oligonucleotide with the carrier.

Applicants hereby elect the claims of Group I, claims 50-69, for initial prosecution on the merits. Applicants specifically reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

The examiner further has asserted that the claims of Group I are directed to more than one species of the generic invention which were deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

With regard to claims 61-66, the examiner noted that these claims are drawn to carriers of a plurality of aldehyde groups, a ligand recognized by a cell surface receptor, a hormone, an enzyme, a cytokine, carbohydrate polymer, oxidized carbohydrate polymer or oxidized mannan and asserted that each of these carriers is distinct from one another.

Applicants hereby elect "oxidized mannan" as the carrier.

With regard to claims 55-57, the examiner noted that the claims are directed to protein or peptides of an antigen, a polytope peptide, an enzyme, receptor or hormone and asserted that each of the peptides or proteins of these claims is distinct from the others as they have distinct structures and functions.

Applicants hereby elect "an antigen."

With regard to claim 58, the examiner noted that the claims are directed to specifically named compounds of antisense RNA, catalytic RNA or siRNA. Each was said to be distinct from the others because each has a different nucleic acid sequence and structure.

Applicants hereby elect "siRNA."

With regard to claims 68 and 69, the examiner noted that the claims are directed to specifically named linkers selected from polycation linker, PLL, PEI, dendrimers or cationic lipids. Each was said to be distinct from the others because each comprises a

distinct structure and has a different biological activity from the others.

Applicants hereby elect "polycation linker."

Applicants respectfully submit that the elected claims are in condition for allowance.

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